

## **Statement of Claims: Paul Drockton Pro-Se Litigant**

Paul Drockton  
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### **Civil Rights Complaint**

Case: 2:22-cv-00287  
Assigned To : Bennett, Jared C.  
Assign. Date : 4/27/2022  
Description: Drockton v State of Utah,  
The et al

#### **History/Background**

1. Plaintiff is 20 year Independent Journalist that has written numerous articles critical of the Financial Dealings of the Mormon (LDS Church), Utah Politicians, US Politicians and Various Businesses. He has a BA in Social Psychology and an MA in US History/Economics.
2. He also was a Global Distributor for Rain International and a multiple 6 figure earner with downlines on 4 Continents: Asia, Africa, Europe, North America. His Right leg had about 100,000 distributors. His Left leg had about 18,000. (2013-2019). He held the rank of Diamond Elite and made Multiple 6 figures with the Company (2013-2019)
3. Rain is an MLM Pyramid Company. Plaintiff disagreed with the unethical and illegal company practices and resigned from Rain International, his son took his spot on the company tree. (2019)

**Rights Violated: 1<sup>st</sup> Amendment (Speech, Press and Religion), Right to a Jury Trial, Right to Due Process, Right to a Speedy Trial: Retaliation by ALL DEFENDANTS for the exercise of 1<sup>st</sup> Amendment Rights.**

**Each Count Below is Numbered and Listed:**

1. Within a year after leaving the company, a confidential source sent Plaintiff a Certified Lab Assay from Summit Labs showing that Rain was grossly diluting its products. The Certified Lab Assay was paid for by a Company called Arego Life LLC. Apparently, they were looking to replicate Rain International's Product "Rain Soul" (Summer-2019)

After Publishing the Summit Labs Assay, along with his protected opinions, on his newsite- UtahVoice.Net, CEO Byron Belka made various defamatory statements about the Plaintiff and Summit Labs on a Website called Workfromhome.com. (Fall-Winter 2019)

Violation: 1<sup>st</sup> Amendment, DEFAMATION & RETALIATION.

2. Rain, Belka and Parry then filed a frivolous lawsuit against the Plaintiff alleging Defamation against their company. (Rain International vs Paul Drockton. They failed to file any proof of their claim. No documentation should have resulted in an immediate dismissal. (November-2019)

Violation: 1<sup>st</sup> AMENDMENT VIOLATED & RETALIATION

3. Defendants Parry (Majority Owner of Rain and its Manufacturer), Belka (CEO of Rain and Public Defamer or Plaintiff) and Rain International, violated the Utah "Participation in Government Act" with their retaliatory lawsuit, as Plaintiff was also using the articles he published to Lobby the Utah State Legislature and State Executives for reform of Utah MLM Pyramid Schemes and their Manufacturers.

Violation: Utah Anti-Slapp (Citizen Participation in Government Act) 1<sup>st</sup> Amendment Rights and Retaliation

Plaintiff also wrote and documented Rain not collecting Utah State Income Taxes and using a fraudulent Colorado address to avoid paying them. (Summer 2019)

Plaintiff also wrote and documented how Rain, Belka and Parry were forcing non-Utah distributors to use false Social Security numbers to register as US distributors.

Plaintiff also wrote and documented how Rain, Belka and Parry were allegedly using his African Distributors to deceive Investors into believing

that the USA was a viable market. After they allegedly destroyed the US market by allegedly selling Rain Products on Ebay and Amazon at a Discount. Plaintiff lost a Physician with a large downline in the United States as a result of this alleged behavior by Defendants. (Summer 2019).

Plaintiff also wrote about how Belka, Parry and Rain allegedly defrauded African Distributors in Namibia and Botswana in his downline. Victorine Mburra allegedly collected over \$90,000 from distributors and customers for product and kept the money.

Plaintiff asked Defendant Belka to terminate her for theft. Instead, he reportedly took the money and gave Victorine more product. (Summer, 2019)

Plaintiff also wrote and documented Rain, Belka and Parry selling expired product to the Africans along with near expired product. This was verified by Abius Akwake (Namibia Logistics Manager), and Rain Logistics Manager Corey. (Summer 2019)

Plaintiff also wrote about how Rain was reportedly relabeling expired product and sending it out to the markets with Rain VP of Sales, Russ Cowley. He documented this with written communication between himself and a Former Rain Executive. (Summer 2019)

4. Plaintiff was also defamed by Belka in two videos. One of which stated he had kept investor money from Abius Akwaake. The other claiming the Summit Labs Assay was fake. Plaintiff proved both false claims were defamatory with documentation. (Summer 2019)

Violation: Criminal Defamation, Anti-Slapp, Retaliation, Racketeering, Conspiracy, Violation of 1<sup>st</sup> Amendment Rights,

5. In Rains complaint they claimed defamation but provided neither documentation nor evidence to prove that any of the Articles published by the Plaintiff were defamatory. Utah 4<sup>th</sup> District Judge, Christine Johnson refused to grant Plaintiff Summary Judgment based on the lack of evidence and continued the case. (Spring and Summer 2020)

**Violation: Right to Due Process, Right to a Speedy Trial, Retaliation for using 1<sup>st</sup> Amendment Rights.**

6. Plaintiff also asked the Case be dismissed based on Rain International's own Contract, and sent to Arbitration. This was also unlawfully denied by Judge Christine Johnson. (Summer 2020, 2021)

**Violation: Utah Contract Law, Retaliation, Harassment, Due Process.**

7. Plaintiff was ordered by the Court to file his pleadings using a different email address than [provofiling@utcourts.gov](mailto:provofiling@utcourts.gov). He had used [provofilings@utahcourts.gov](mailto:provofilings@utahcourts.gov) for the first four months responding to Belka, Parry and Rain's frivolous complaint. The new email addresses (one of which was [courts@utcourts.gov](mailto:courts@utcourts.gov)), did not notify Plaintiff that he was using the wrong address. The result was that 90% of Plaintiff filings were never docketed or seen by the Judge. This in and of itself was grounds for a mistrial and dismissal. Yet, neither the Court, nor the Appellate Court of Utah would grant the dismissal. (2020-2022)

Finally, after the final judgment was awarded, Plaintiff was notified that he was using the wrong email. Plaintiff had also filed motions for access to the online Court Docket but was ignored.

**Violation: Due Process, Right to a Fair and Impartial Trial, Conspiracy, Retaliation and Harassment with Criminal RICO implications.**

8. Rain's Attorney attempted to Depose Paul Drockton 500 days after the Rule 26 Deadline. He did not file for an extension before that deadline expired. Paul Drockton Declined. (2021)

**Violation: Due Process, Right to a Speedy Trial, Rule 26, Harassment, Retaliation**

9. Even though he was 500 days past the Rule 26 Deadline, Judge Christine Johnson unlawfully ordered Paul Drockton to pay Attorney Fees to Rain over the missed deposition. (2021)

Paul Drockton appealed and the Order was remanded back to Judge Johnson and dismissed. (April, 2021)

**Violation: Double Jeopardy, Rule 73 Violation, Due Process, Right to a Fair and Speedy Trial. Right to a Jury Trial.**

- 10. Then, using the same argument, Rain was granted a judgment against Paul Drockton for over \$380,000 including Attorney Fees. (November, 2021) by Judge Christine Johnson**

**Violation: Double Jeopardy, Right to Due Process, Right to a Jury Trial, Harassment, Retaliation, Conspiracy**

- 11. Rain's Attorney ignored the 7-day deadline to notify Paul Drockton of the Judgment. He received notification after the 30 day Appeals Deadline had passed. His appeal, along with his justified request for an extension of time was denied by the Utah Court of Appeals. (December-January, 2022)**

**Violation: Due Process, Fair Trial, Right to a Jury Trial, Retaliation and Conspiracy.**

- 12. Both Rain and Paul Drockton had requested a Jury Trial. Under Utah Law and the US Constitution he was entitled to one. This too was denied by the Court. (2019-2021)**

**Violation: Right to a Jury Trial**

- 13. Rain's Contract with Paul Drockton mandated Arbitration. This too was denied by Judge Johnson. (2019-2021)**

**Violation: Due Process, Retaliation, Harassment for using 1<sup>st</sup> Amendment Rights.**

- 14. Paul Drockton's Counter-Complaint was dismissed at a hearing after he asked for a remote hearing instead of a live hearing during the Covid Pandemic. 3 days before the scheduled hearing the Court changed the time and date. They also ignored Paul Drockton's Motion to reschedule the hearing. (Fall, 2020)**

**Violation: Due Process, Right to a Jury Trial, Right to a Fair and Impartial Judge. Retaliation for lawful use of 1<sup>st</sup> Amendment Rights.**

- 15. Rain's Attorney also failed to obey Rule 73. To this day, Paul Drockton has not seen a Contract between Rain and its Attorney, if one exists. He has**

**no evidence of hourly rate. There was no detailed schedule of fees submitted to the Court. (November, 2021)**

**Violation: Due Process, Rule 73, Retaliation, Unlawful Attachment, Harassment**

- 16. Rain was then granted a motion to Garnish Drockton Bullion LLC contrary to Utah's LLC laws. These laws state that a Creditor can take the member's membership and distributions only as an Exclusive Remedy. It is illegal to garnish an LLC in Utah for a member not employed by the LLC. (December-January 2021-22)**

**Paul Drockton then filed a Complaint for Wrongful Attachment against Judge Christine Johnson, Rain International, Travis Parry, Byron Belka and Attorney Jeremy Stewart. He dismissed both Johnson and Stewart as Defendants. (Case # 220901146) (February, 2022)**

**The Court dismissed the Claim without Prejudice and admitted the Facts in the Case were correct. (April 2022). Plaintiff is free to refile his Complaint.**

**Violations: Wrongful Attachment, Fraud, Retaliation and Harassment, Right to a Jury Trial, 1<sup>st</sup>, Unjust Enrichment**

- 17. Judge Christine Johnson recused herself for conflict after the wrongful attachment lawsuit and the Case was reassigned to another 4<sup>th</sup> District Judge under Protest by Paul Drockton. He argued that, because of potential bias, he could not receive a fair hearing after Christine Johnson recused herself. (February-2022)**

**The Presiding Judge agreed, to a point. The Wrongful writ of Attachment case was reassigned to the Utah 3<sup>rd</sup> District. But, the Case that really mattered, 190401824 (Rain's Defamation Complaint), remained in the 3<sup>rd</sup> District even after Paul Drockton requested a change of Venue for that case specifically. (February-March 2022)**

**Violations: Retaliation and Harassment for using 1<sup>st</sup> Amendment Rights, Due Process Rights, Right to an Impartial Judge, Refusal to honor a**

**legitimate Change of Venue Request for one case when it was granted to the Plaintiff (Mr. Drockton) for two others related to that same case.**

- 18. Mr Drockton had written numerous articles critical of the Mormon (LDS) Financials, one of which formed the foundation for the Washington Post Article written by Jon Swaine. The Utah 4<sup>th</sup> District has Judges that are primarily Mormon graduates of BYU. It would difficult, if not impossible for Paul Drockton to get a fair hearing in the 4<sup>th</sup> District, which is less than a mile from the BYU Campus.**

**Violation: Impartiality, Right to a Fair and Speedy Trial, Harassment and Collusion, Retaliation for Religious Beliefs.**

- 19. Mr. Drockton also wrote articles critical of Judge Christine Johnson. He pointed this out from the beginning and asked her to recuse herself for bias multiple times. He even Appealed her decision to stay on the Case. Which was not granted. The result was 2 and one half years of daily harassment from the Court and Rain's Attorney. Sometimes, as many as 5-6 filings DAILY were sent to Paul Drockton.**

**Violation: Retaliation, Right to a Jury Trial, Right to a Speedy and Fair Trial, Right to Unbiased Judiciary.**

- 20. The new Judge who took over the Case in the 4<sup>th</sup> District was even worse. When Paul Drockton showed him that 90% of his filings never got into the Docket, the violations of Rule 26 and 73, and the Violation of Service on the Judgment he stated there was nothing he could do because Paul Drockton's Appeal had been rejected by the Appeals Court for being late. After Rain's Attorney sent the judgment to him at the time of the Appeal deadline.**

**Conspiracy, Judiciary Bias, Due Process, 1<sup>st</sup> amendment rights violations, Jury Trial, Legitimate Change of Venue Request Denied.**

- 21. At that same Hearing, Judge: Robert C. Lunnen, ordered that neither Rain nor Paul Drockton could file anything else on the case except collections filings. He asked Rain to type up the Order.**

In direct violation of the order to not file or be held in contempt, Rain's Attorney filed a Vexatious Litigant Motion. Paul Drockton, who feared he would be held in contempt, did not respond. The Judge signed the Order contrary to his previous Order to hold the filing Party in Contempt.

The Vexatious Litigant Order is another attempt to hog-tie Paul Drockton while he attempts to defend himself against Rain's continuous onslaught of Vexatious Litigation.

Violation: Retaliation, Harassment for defending oneself against vexatious litigants (Rain, Parry and Belka), Conspiracy, Biased Judiciary, Due Process, Fair and Impartial Judiciary.

**Restraining Order & New Defamation Complaint (2022): ALL DEFENDANTS**

**18. After Paul Drockton published articles with new information on Rain International, Travis Parry and Byron Belka, they were granted a Restraining Order from their False and Fraudulent Complaint. (March 2022)**

**Violation: 1<sup>st</sup> Amendment Retaliation, Defamation, Harassment, Right to an Unbiased Judiciary, Right to a Fair Trial, Utah Anti-Slapp Violations.**

**19. Again, in spite of the Conflict of Interest, this case remains in the Utah 4<sup>th</sup> District Court ( Case #220400349 – Judge Thomas Lowe).**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1<sup>st</sup> Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship**

**20. As the Court Docket will prove, all of the False Claims made to obtain the Restraining Order have been proven false in multiple filings submitted by Mr. Drockton. (March 2022). Yet, the Court will not dismiss the Restraining Order.**



**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**21.Mr. Drockton also submitted a Motion to hold Byron Belka in Contempt for multiple false written statements and suborning perjury, which the Court has refused to rule on. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Conspiracy, Due Process**

**22.After Rain's Attorney missed his Deadline for filing a Response to my Counterclaim the Judge refused to Grant me a Default Judgment, declaring the reason to be that Rain filed a Motion to Dismiss my Counterclaim after they missed the deadline to respond. Under Rule 7, 15, their motion as a response to my counterclaim was unlawful (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**23.Ironically, Rain was granted a Judgment based on fraudulently denying me my right to Appeal, thus setting the precedent for me to receive Summary Judgment. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**24.I also filed a Motion on the Pleadings based on Utah's "Citizen Participation in Government Act". This also has not been discussed contrary to the law. Instead, we have had three hearings that have given Rain the opportunity to Find Their Case. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**25. This Restraining Order is a Violation of my 1<sup>st</sup> Amendment Rights and needs to be Vacated by the Federal Court. Judge Lowe has been asked to vacate it multiple times but it remains in force. Even though it is based on fraud and Perjury. Proved in his Court. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**26. Mr. Drockton also filed a Motion to dismiss Rain's Complaint for Defamation when they missed their deadline for filing their initial discovery. Rain continues to submit privileged settlement discussion documents to justify that delay. In spite of being told by Judge Lowe they are not admissible. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**27. Paul Drockton is entitled to damages and asks the Federal Court to dismiss this frivolous complaint along with the Restraining Order.**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**28. He also asks the Court for an Injunction against Rain International on any future filings that violate his 1<sup>st</sup> Amendment Rights.**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process, and Vexatious Litigation as harassment and retaliatory.**

**Temporary Stalking Injunction: Case# 220400512 (Judge Robert Lund-Utah 4<sup>th</sup> District) – ALL DEFENDANTS**

- 29.Immediately After Paul Drockton filed his motion to hold Byron Belka in Contempt for his perjured statements and suborning perjury through his employee, he retaliated with a request for a Stalking Injunction against Paul Drockton. (April 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

- 30.The order was granted in-spite of the lack of any evidence that Mr. Drockton, who is a virtual cripple due to his Multiple-Sclerosis, Various Injuries from a car accident, elderly age (60 years old) and frail constitution. (April, 2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

- 31.None of the so-called evidence can be admitted under the Utah Rules of Evidence (See the Court Docket). And all of the claims made by Belka have been proven false. (April,2022)**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

- 32.The Judge has not called a hearing and seems content to continue to place Paul Drockton in harms way from a desperate Sociopath that now faces very real Felonies and/or misdemeanors for lying to the Court.**

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

- 33.Paul Drockton is now a virtual prisoner in his home for fear that said Sociopath (I have a B.A. in Psychology) might appear out of nowhere while Paul Drockton is shopping or at a restaurant. Or worse yet, that he**

might send his wife to claim I was violating this unlawful retaliatory stalking injunction and have him arrested.

**Violation: Fair and Impartial Hearing, Utah Anti-Slapp Violations, Fraud, 1st Amendment Retaliation and harassment, Right to a Venue Change, Unlawful Censorship, Due Process**

**Emergency Relief Requested:**

As the Court can See, Paul Drockton is now the innocent victim of false and retaliatory litigation, a Fake Restraining Order and a Fraudulant Stalking Injunction, which the Utah 4<sup>th</sup> District seems to feel is what he deserves. All because he exercised his 1<sup>st</sup> Amendment Rights and Publicized MLM Company and Manufacturer Corruption in Utah. MLM Pyramid Schemes apparently bring in good money to both Church and State in Utah and it appears they wield undo influence in the Utah 4<sup>th</sup> District, where most of the MLM headquarters are resided.

Paul Drockton humbly requests the Court to issue a Moratorium on any new litigation from Rain or its Attorneys. Also, that a moratorium be placed on any collections attempted by Rain, Belka or other Defendants.

Also, that an Injunction be imposed on the 4<sup>th</sup> District as it relates to ongoing or previous lawsuits filed by Rain International against Paul Drockton.

Also that the Federal Court might order both the Dismissal of Rain's Temporary Restraining Order as an infringement of free speech and press.

Also, that the Federal Court might immediately dismiss the Stalking Injunction against Paul Drockton issued through Byron Belka's perjerious complaint as retaliatory and without merit. Also as a violation of his 1<sup>st</sup> Amendment Rights.

Defendant seeks a Jury Trial for all other claims and requests \$100,000,000 in Compensatory Damages for:

1. His declining health, caused by Defendants hateful and retaliatory actions
2. His loss of business due to the defamatory and illegal actions of the Defendants.

3. Defendants Interference in his Family Life and Relationships.
4. Defendants ongoing defamation and unjust imprisonment of Plaintiff in his home due to their spurious and proven false Stalking Injunction
5. Emotional Pain and Suffering inflicted on Plaintiff by Defendants Irresponsible, Egregious and Unlawful Actions
6. Refusing to Grant Plaintiff a Jury Trial
7. Refusing to Grant Plaintiff Due Process
8. Unjust Enrichment and Wrongful Attachment
9. Double Jeopardy
10. Unlawful Restraint on his Freedom of Speech and Press
11. Refusal to Grant Plaintiff a Speedy Trial. The first Defamation Claim is still ongoing.
12. Violating his Right to Appeal
13. Violating his Right to a Fair and Unbiased Judiciary
14. Violating his Contractual Right to Mediation
15. Unlawful Termination
16. Irreparable Harm

IN addition to the above: Plaintiff is requesting \$400,000,000 from Defendants in Punitive Damages due to their persistence in violating the Plaintiffs Constitutional Rights and Civil Liberties

I swear to the truthfulness of the above statement:

***Paul A Drockton***

Paul A Drockton

Date: 4-26-22